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Attorneys for Defendant  
CONNECTU, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

THE FACEBOOK, INC. and MARK ZUCKERBERG,

## Plaintiffs

V.

CONNECTU, INC. (formerly known as CONNECTU, LLC), PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, and WAYNE CHANG.

## Defendants

Case No. 5:07-CV-01389-JW

**DECLARATION OF EVAN A. PARKE  
IN SUPPORT OF DEFENDANTS  
ADMINISTRATIVE MOTION TO SEAL**

**CONFIDENTIAL EXHIBITS  
(EXHIBITS A, F, H, I, J, K, AND N)  
TO DECLARATION OF  
EVAN A. PARKE IN SUPPORT OF  
DEFENDANTS' RESPONSE TO ORDER  
TO SHOW CAUSE**

1 I, Evan A. Parke, declare as follows:

2       1. I am an associate with the law firm of Boies, Schiller & Flexner LLP,  
3 counsel to ConnectU, Inc. I am licensed to practice law in the District of Columbia and  
4 am appearing in this case per an order of the Court granting my application to appear *pro*  
5 *hac vice*. I have personal knowledge of the facts and circumstances set forth in this  
6 Declaration. I make this Declaration pursuant to Civil L.R. 7-11 and 79-5.

7       2. Good cause exists for sealing “Confidential Exhibits (Exhibits A, F, H, I,  
8 J, K, and N) to Declaration of Evan A. Parke in Support of Defendants’ Response to  
9 Order to Show Cause” (“Defendants’ Confidential Exhibits”). Defendants’ Confidential  
10 Exhibits contain (i) information that the Court has Ordered should be sealed, including  
11 the financial terms of the purported settlement between Plaintiffs and Defendants (*see*  
12 Order conditionally granting CNET’s request to unseal, at Dkt. No. 473); (ii) information  
13 that has been designated by Plaintiffs as Confidential or Highly Confidential and covered  
14 by the Protective Order; (iii) information that the Master has designated as confidential in  
15 prior filings (*see* Dkt. No. 632); and/or (iv) information alleged by Plaintiffs to implicate  
16 confidentiality provisions found in a purported settlement agreement which is the subject  
17 of dispute between the parties.<sup>1</sup>

18       3. This Administrative Motion is being made pursuant to Civil L.R. 79-5,  
19 which requires a Court order to seal documents and does not permit sealing by  
20 stipulation.

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27       <sup>1</sup>By filing this declaration Defendants do not waive any arguments or rights as to the admissibility or  
28 inadmissibility of evidence concerning the purported agreement, nor do they waive any arguments or rights  
as to the enforceability or unenforceability of the purported agreement.

1 I declare under penalty of perjury that the foregoing is true and correct to the best  
2 of my knowledge. Executed this 14th day of October, 2008.  
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4 \_\_\_\_\_  
5 Evan A. Parke

6 **CERTIFICATE OF SERVICE**  
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8 I hereby certify that this document(s) filed through the ECF system will be sent  
9 electronically to the registered participants as identified on the Notice of Electronic Filing  
10 (NEF) and paper copies will be sent to those indicated as non-registered participants on  
11 October 14, 2008.

12 Dated: October 14, 2008  
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15 Steven C. Holtzman  
16 Attorney for Defendant ConnectU, Inc.  
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